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**REMARKS**

Claims 10 and 41-61, all the claims pending in the application, stand rejected on prior art grounds. Applicants respectfully traverse these rejections based on the following discussion.

**I. The Prior Art Rejections**

Claim 10 stands rejected under 35 U.S.C. §102(e) as being anticipated by David et al., hereinafter "David" (U.S. Patent No 6,810,503). Claims 41-61 stand rejected under 35 U.S.C. §102(e) as being anticipated by Shields (U.S. Patent No. 6,260,194) in view of Montgomery (U.S. Publication 2002/0080159). Applicants respectfully traverse these rejections based on the following discussion.

**A. The Rejection Based on David**

Applicants respectfully traverse this rejection because David combines individual multimedia events to generate a new presentation (Abstract), while the claimed methodology defined by independent claim 10 relates to the modification of a previously-generated presentation (claim 10 recites "applying each rule . . . to modify the at least one previously-generated presentation"). Applicants respectfully submit that nothing within David discloses modification of any of the previously-generated multimedia events that are combined by David into the new presentation.

The Office Action argues that because David generates the new presentation within a Web page, that David would teach one ordinarily skilled in the art to modify one of the previously-generated multimedia events or modify the newly generated presentation. Applicants respectfully disagree because regardless of where the new presentation is generated by David, there is no concept of modifying a previously-generated presentation within David. The Office Action appears to argue that modification of the Web page is equivalent to modifying a

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previously-generated presentation. However, a Web page is not equivalent to a presentation because a presentation has a beginning and an end, and dynamically changes as the presentation progresses from beginning to end. To the contrary, a Web page is a static display that changes only when reacting to user inputs. It is unreasonable to equate a Web page to a presentation, and then argue that by generating a new presentation from a combination of previously-generated multimedia events within a Web page that the Web page comprises a presentation that is modified (as the Office Action appears to argue).

The claimed invention modifies the multimedia events while David merely synchronizes and arranges the multimedia events. More specifically, independent claim 10 defines a process of "applying each rule that positively responded to the testing step to the at least one previously-generated presentation to modify the at least one previously-generated presentation." Applicants submit that the language "to modify the at least one previously-generated presentation" within claim 10 clearly sets forth a method that modifies a previously-generated presentation, which is contrasted with a method that will generate a presentation from many smaller multimedia presentations or segments (David).

More specifically, David utilizes a sequencer to create a presentation of multimedia events that are synchronized (column 3, lines 41-46). David explains that the disclosed system provides comprehensive timing control for invoking multimedia events and accommodates starting and stopping of multiple timelines (column 7, lines 22-45). One of the reasons for providing the system described in David is to allow the timing information to be specified in terms of time, rather than being defined as part of a frame, which makes the process more intuitive to program and can also makes it easier to program and debug the new presentation created (column 7, lines 22-45). Therefore, it is Applicants' position that David describes a system and method that creates a presentation from many different multimedia events, which is contrasted with a methodology that modifies a previously-generated presentation as defined by independent claim 10.

There is nothing within the disclosure of David which relates to manipulating or modifying any of the individual multimedia events that are synchronized with the system in

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David. Instead, the disclosure of David merely describes the timing, arrangement, and synchronization of such multimedia events. To the contrary, one ordinarily skilled in the art would understand that the process of "applying each rule that positively responded to the testing step to the at least one previously-generated presentation to modify the at least one previously-generated presentation" actually modifies a multimedia event. Since David merely arranges and synchronizes the previously-generated multimedia events, there is nothing within David that would teach to one ordinarily skilled in the art of the need to modify any of the individual multimedia events. To the contrary, the invention defined by independent claim 10 specifically modifies the individual multimedia events.

Therefore, Applicants respectfully submit that David does not teach "applying each rule that positively responded to the testing step to the at least one previously-generated presentation to modify the at least one previously-generated presentation" as defined by independent claim 10.

Therefore, independent claim 10 is patentable over David and the Examiner is respectfully requested to reconsider and withdrawn this rejection.

#### **B. The Rejection Based on Shields and Montgomery**

Applicants respectfully traverse this rejection because neither Shields nor Montgomery teach the automatic modification "without user intervention" of a previously-generated presentation using a set of previously created rules, as defined by independent claim 41, 49, and 55. Shields does not modify a presentation, but instead selectively requires user intervention in order to allow a user to selectively view different portions of a previously-generated presentation (Figure 10 of Shields). Montgomery merely discloses a method where most of the production of a presentation is performed at the client location (instead of at the server) in order to accommodate low bandwidth connections (Abstract).

More specifically, independent claim 41 defines "after said creating of said rules, automatically modifying, without user intervention, said previously-generated presentation based on said rules to produce a modified presentation." Claims 49 and 55 similarly define

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"automatically expanding . . . to produce an expanded presentation" and "automatically combining . . . to produce said composite presentation sequence" respectively. Each of independent claims 41, 49, and 55 define a process of "creating a set of rules" that is later used to modify, expand, or combine one or more previously-generated presentations and such claims require that the modifying, expanding, or combining is performed "without user intervention." In other words, the claimed invention defined by independent claims 41, 49, and 55 performs an automated process that acts based on a previously created set of rules instead of interactive user input.

This is directly contrary to what is occurring in Shiels because Shiels requires user input during the playback of the previously generated presentation (column 5, lines 65-column 6, line 7). The previously-generated presentation is not modified, expanded, or combined in Shiels and, instead, Shiels merely provides a methodology for selectively viewing portions of a previously-generated presentation (column 3, lines 24-28). In other words, Shiels does not actually change the previously-generated presentation in any manner, but instead merely displays different portions of the presentation, depending upon the interactive user input.

In column 5, line 65-column 6, line 46, Shiels sets forth the basic operation of how the interactive user input is utilized to choose between different portions of the previously-generated presentation. As shown in Figure 10 of Shiels this interactive user input allows a different story to be presented to the user which varies depending upon the interactive user input; however, the presentation itself is not modified, expanded, or combined because the presentation itself remains the same. The interactive user input described in Shiels only changes which portions of the presentation are presented to the user and/or the order in which these portions are presented to the user.

Therefore, Shiels does not set forth any process whereby a set of rules are created prior to the automated modification, expansion, or combination of a previously-generated presentation because Shiels requires that the interactive user input be performed while the previously-generated presentation is being presented to the user (col 6, lines 31-32). Thus, as a first point, Applicants submit that Shiels does not teach the claimed process of "creating a set of rules based

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on user input" as defined by independent claims 41, 49, and 55.

Further, while Shields changes which portions of the previously-generated presentation are presented to the user, Shields does not actually produce a different presentation as the claimed invention does. While Shields changes which portions of the presentation are presented to the user so as to change the ending of a movie, change the character reaction of a video game, change the appearance of a scene depending upon time of day, etc., the actual presentation itself never changes. Thus, while Shields alters which portions of the presentation are presented, Shields does not teach any process of "automatically modifying"; "automatically expanding"; or "automatically combining" one or more previously-generated presentations so as to "produce a modified presentation"; "produce an expanded presentation"; or "produce said composite presentation sequence" as defined by independent claims 41, 49, and 55, respectively.

As an additional point, even if the methodology presented in Shields is somehow considered to modify, expand, or combine the presentation, such modification, expansion, or combination is only performed with interactive user intervention. As shown in detail above, Shields requires interactive user input during the playback of the presentation (column 6, lines 23-29). If no interactive user input is supplied, the presentation is presented in an unaltered sequence (column 6, lines 42-46). Thus, Applicants submit that none of the automated modification, expansion, or combination which Shields could be argued to describe is performed "without user intervention" as required by independent claims 41, 49, and 55. Thus, it is Applicants' position that this feature is similarly not taught or suggested by Shields.

The Office Action notes that column 7, lines 8-10 of Shields states that path selection at some of a branch points can be made dependent upon previous interactions; however, such "previous interactions" still occur during the playback of the presentation, which requires "user intervention" which is directly contrary to the claim requirement "without user intervention."

Further, the Office Action argues that "Montgomery teaches is modifying a movie" based upon a downloaded script. However, this is incorrect because Montgomery only teaches the exact recreation of the previously-generated presentation and does not teach any form of modification of a previously-generated presentation. Contrary to the assertion in the Office

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Action that Montgomery somehow proposes modifying the previously-generated presentation, Montgomery clearly describes that the previously-generated presentation will be faithfully reproduced through its low bandwidth methodology (Abstract, paragraph 33 of Montgomery).

Thus, as shown above, the proposed combination of Shiels and Montgomery does not teach many aspects of the methodology defined by independent claims 41, 49, and 55. First, the proposed combination of Shiels and Montgomery does not perform a process of "creating a set of rules based on user input." Secondly, the proposed combination of Shiels and Montgomery does not teach "automatically modifying"; "automatically expanding"; or "automatically combining" a previously-generated presentation because Shiels does not actually alter the previously-generated presentation in any manner, but instead selectively displays different portions of the presentation based upon interactive user input. Finally, the process performed in the proposed combination of Shiels and Montgomery is not performed "without user intervention" but instead the process in the proposed combination of Shiels and Montgomery explicitly requires interactive user input (Shiels).

Therefore, Applicants submit that independent claims 41, 49, and 55 are patentable over the proposed combination of Shiels and Montgomery. Further, dependent claims 42-48, 50-54, and 56-61 are similarly patentable, not only because they depended from a patentable independent claimed, but also by virtue of the additional features of the invention they define. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

## II. Formal Matters and Conclusion

In view of the foregoing, Applicants submit that claims 10 and 41-61, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the

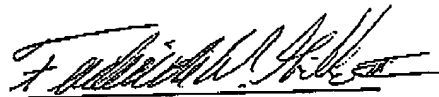
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Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit  
Account Number 50-0510.

Respectfully submitted,

Dated: 12-23-05



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